

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

_____)	Civil Nos.
)	
IN RE: SEPTEMBER 11 LITIGATION)	21 MC 97 (AKH)
)	
)	<u>NOTICE OF MOTION</u>
_____)	

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and the Declaration of Robert T. Haele, Esq., the plaintiffs in 21 MC 97 will move this Court at the earliest time permitted, at the United States Courthouse, 500 Pearl Street, New York, New York, for an order setting aside the defendants' designations of confidentiality that the Aviation Defendants made purportedly pursuant to the Confidentiality Protective Order this Court entered on March 30, 2004, and making public all of the documents the Aviation Defendants produced in the above-referenced matter (where applicable, as redacted by the intervenors, the United States Government).

Dated: October 29, 2007
New York, New York

Respectfully submitted,

MOTLEY RICE LLC

By: /s/ Michael E. Elsner
Ronald L. Motley, Esquire
Joseph F. Rice, Esquire
Donald Migliori, Esquire
Jodi Westbrook Flowers, Esquire
Mary Schiavo, Esquire
Michael E. Elsner, Esquire (ME-8337)
Robert T. Haele, Esquire
Elizabeth Smith, Esquire
Justin Kaplan, Esquire

MOTLEY RICE LLC
28 Bridgeside Boulevard
Post Office Box 1792
Mount Pleasant, SC 29465
Tel: (843) 216-9000
Liaison Counsel for PI/WD Plaintiffs